

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Michael Renton, et al. Group Art Unit: To be assigned

Serial Number: 10/549,331 Examiner: To be assigned

Filing Date: September 13, 2005

Title: Radiopharmaceutical Generation System

**Petition Under 37 CFR 1.47 (a)**

Honorable Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The undersigned states and declares as follows:

1. I am a registered patent attorney authorized to practice before the US Patent and Trademark Office (Reg. No. 45,629).
  
2. I am employed by GE Healthcare Inc. (the US affiliate of Hammersmith Imanet Limited; the co-owner of PCT Application Number PCT/GB2004/001033, to which the instant application claims priority, and all patents and applications claiming priority thereto) and its affiliate GE Healthcare Inc.. as Patent Counsel, Intellectual Property, North America. As part of my duties in that position, I am responsible for coordinating the US filing of cases owned by Hammersmith Imanet Limited, including the captioned application.

3. The captioned application was filed on September 13, 2005, and is a 371 application to PCT Application GB2004/001033 filed March 12, 2004, which claims priority to UK patent application no. 0305848.4, filed March 14, 2003.
4. On April 25, 2006, a Notice to File Missing Parts of Nonprovisional Application was mailed in connection with the captioned application for lack of a signed oath or declaration. A declaration, was previously prepared and sent to GE Healthcare Limited and attempts were made to contact the inventors.
5. The first two inventors Michael Renton and Shaun Creasey, have been contacted and have signed the declaration; the third inventor, Alexander Ranicar, has refused to execute the declaration, despite repeated letters addressed to him.
6. At the time of the invention, Mr. Ranicar was an employee of Hammersmith Imanet Limited, and, as such, was under an obligation to assign all of his inventions to his employer.
7. As shown on copies of the attached letters and emails in Exhibit 1, the patent assistant from GE Healthcare Limited, sent copies of the declaration and assignment to Mr. Ranicar for execution on November 1, 2005, January 23, 2006, February 8, 2006, March 13, 2006, April 3, 2006 April 13, 2006, May 11, 2006, June 15, 2006 DHL track results for 3855917376 which indicates the attempted delivery, and September 26, 2006 DHL tracking results detail for 3855919675

which indicates shipment was delivered, but we have not receive either the signed declaration or assignment..

8. As attested to in the attached Verified Statement of Lisa Higgin, attached as Exhibit 2, Lisa Higgin made contact with Mr. Ranicars wife, however, never made contact with Mr. Ranicar himself.
9. The date for filing of a declaration in connection with the captioned application, with a four month extension of time, expires on October 25, 2006. It is respectfully requested that the declaration signed by Michael Renton and Shaun Creasey be accepted under 37 CFR 1.47 (a) on behalf of Alexander Ranicar who has refused to sign the declaration despite repeated attempts to get him to do so. Such action is necessary to prevent the application from becoming abandoned, to preserve the rights of the parties, and to prevent irreparable damage.
10. In the event that I am able to subsequently convince Alexander Ranicar to sign the declaration, a supplemental declaration executed by him will be filed.
11. Please charge Applicant's Deposit Account Number 502-665 in the amount of \$130.00 to cover the fee for this petition. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 502-665.

12. A Response to Noticification of Missing Requirements (PTO-FORM PCT/DO/EO/905)(Large Entity) is being simultaneously submitted containing the declaration signed by two of the three inventors and authorization to charge the declaration surcharge fee of \$130.00 as well as authorization to charge the two month extension of time for response fee of \$1,590 to Applicant's Deposit Account No. 502-665.

Respectfully submitted,

/Li Cai/  
Li Cai  
Reg. No. 45,629  
Patent Counsel

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